App F IX 4

Previous References

(1943-44 MR)

File No 8843

Serial Nos 56 57

Later References

MR/85-6

GENERAL AND REVENUE SECRETARIAT

Serial Nos 2

Part B for Feb 1944

SUBJECT

Taking over by the Trust Board the portion of the Jesuit Garden to the north of Nilpampa Road Vanchiyoor

To

The Chairman D.T.B. Tvm

" Dy " "

" Pot C'tee "

" Comptroller

Enclosing the resolution of the Board

Re the

L 7332-5 of 1944

7726

Continuation Sheet ml File No / Current No of 42 Page

Letter No B3 c-45/42-43 dt 17-6-43 from the Chairman, City Impt T Bd, Mysore requesting sanction to the proposal of the Board to take away from Mr Krishnaraja the land measuring 5-05 acres to the north of the Ashpumpa road with all plants, trees, fixtures, etc, for a compensation of Rs1000/- after cancelling its lease & to sell him 4 07 acres of land to the South of the Ashpumpa road at Rs 200 per acre & also to sell an addl area of land measuring about 6 07 acres at Rs 200 per acre subject to the condition that these two areas measuring 4-07+6-07 shd on no account be used for building purposes etc

1 These lands were originally leased out to Dewan Aryanthavaraja Vandeva raja for a period of 20 years & they have since executed new agreement to this effect. Mr Krishnaraja got the lease transferred to his name from the original lessee. It is reported that Mr Krishnaraja has improved the area by planting trees etc. ~~,,~~ back

2 It is proposed to take a portion of the land & pay a compensation of Rs 1000 for the trouble he has taken for improving it & to sell 10.14 acres to him at the ra

of Rs 200 per acre cancelling the lease
The Board have resolved to that effect
3 The ml Advocate has opined that no
action can be taken against the orgina
lessee for having transferred the lease to Mrs
Krishnaraju

4 Submitted for orders

2/6. The Land Section may be consulted
if the proposal may be approved and
is free from legal complications

Law Asst 28/6/43

5 Secy 29/6/43

6 Asst Secy - Law Mbr

1/7

Release of the land under reference was first issued to Messrs Vandevara and Ananthar aya in 1936 Subsequently in 1941 without consulting the trust Board the lessees transferred the lease to one K Krishnaraju The Govt Pleader who was consulted in the matter is stated to be of opinion that no action can be taken against the original lessees for the transfer they effected in favour of K Krishnaraju

While considering the question of recognising the transfer, the representation of Mr Krishnaraju to the effect that the present applicant of having out the land was defective and praying that

the area to the North of the Road may be taken over by the Board and the lease of the area cancelled and some sort of compensation wherein towards for the trouble taken for fencing planting etc and that the area to the South may be sold to them at a concession price, was also taken into consideration

9 The Trust Board after considering all the aspects of the case and after spot inspection have come to the conclusion that Mr. Krishnarayi's request may be complied with

10 The file is referred to the Law section for opinion as to whether the proposal of the Chairman Rly Improvement Trust Board as noted in paras 9 and 10 of the proc. D may be approved and if it is free from legal complication

Submitted for orders

Recd 13/3/1843

Recd 13/3/1843 the lease can be delayed with the consent of both the parties have to be referred to the Law Dept, & the proposal of the Chairman, is free from any legal complications or may be approved

Law Secretary 13/3/1843

Hon'ble Secy Rly 13/3/1843

Hy Dept for perusal and orders 17/3/1843

SECY DEPT 1786

Taking over by the Land Board, Umpqua of a portion of Fruit garden tract no 7726 of Abiramba Road Vanvilesburg

Continuation Sheet | File No / Current No | of | Page

LAW DEPT 6 13 1944 11 1 DEPARTMENT OF INTERIOR

OFFICE OF THE MINISTER FOR L S G & P Dec 12 1944 No 4495

Let us have a copy of the Land Board's report

Mary Isabella Pinnock

Thos Chairman Land Bd. Clyde

New Dy Commr Clyde

New Dist. Officer Land Bd Dunedin

Confidential

No L 7332-5 D 19/12/44

Particulars re Resolution of the Board.

88-43-56 3126

Office of the Chairman
City Improvement Trust Board Mysore

No B3 C-45/42-43
Encls: (five only)

Dated 17th June 1943

SECRETT
22 JUNE 1943
L S G BRANCH

FROM
B S RAGHAVENDRA RAO Esq MA (Hons)
Chairman City Improvement Trust Board
MYSORE

DEPT

To
C Narayanaswamy Naidu, Esq, B A, B L,
Secretary to the Government of His Highness the
Maharaja of Mysore, Law Department, Bangalore

Sir,

Subject:- Re: taking over to the Trust Board the portion of the fruit garden to the north of Adipa pa Road, Vanivilaspuram, cancelling the lease and giving - some corpensation for fencing etc, and disposing of the other portion to Mr K Krishnaraju

---

I have the ho our to state that certain water logged area below Kukkarahalli tank and near Padavarahalli were as per Resolution No XXI date 12th February 1936 given on lease by the Board to Messrs Vasudevaraja and Anantaraju for a period of 20 years, the lands being rent free for the fir eight years and the lessees paying ¼ during the 9th year, ½ during the 10th year, ¾ during the 11th year and full from the 12th year and thereafter An agreement was got executed and registered by Messrs Vasudevaraju and Anantaraju on 30th September 1936 (Vide Lease deed enclosed)

2 On 13th June 1938, Mr K Anantar ju applied for the cancellation of the lease of the land below Kukkarahalli tank and for the grant of v c bit of land adjoining the land which had been already given to them to the south of Padavarahalli The Board rejected in their Resolution No VIII dated 29th June 1938 (vide copy enclosed) that the lease of the land below Kukkara- halli tank to him be cancelled and that the land to the south of Paduvara halli measuring 400' x 600' or 5½ acres be leased out to him subject to - the same conditions under which the land below Kukkarahalli Tank was leas

3 Subsequently on 28th November 1941 (vide lease deed (transfer) enclosed) - without consulting the Trust Board, although the lease did not mention an thing about rights of transfer, Messrs Vasudevaraju and Anant raju, tran ferred the lease to Mr K Krishnaraju, Retired Palace Gardens Overseer, wh was managing the Farm from the beginning and intimated this transfer on

P T O

23rd December 1941 to the Chairman requesting him to recognise as the lessee Thereupon the Government Pleader who was consulted if such a transfer was in order said that there was nothing in the original agreement preventing such a transfer and that in case the Trust Board had no objection to recognise Mr Krishnaraju as the lessee a separate agreement may be entered into with him etc

3 While this question was under examination Mr Krishnaraju the new lessee also represented that the present arrangements of leasing the land was unsatisfactory and as there was always the fear that the Trust Board may not renew the lease after the expiry of the present lease and may take it over, no permanent improvements could be made and as the new road (Adipurpa Road) separated the garden into two, the area to the north of the road may be taken over by the Board and the lease of the area cancelled and some sort of compensation given for the trouble he had taken for fencing it, growing valuable plants, etc , and that the area to the south of the road be sold to him at a concession price and the lease terminated

4 While therefore considering this question of recognising the transfer it was felt that this request of Mr K Krishnaraju to resume the area to the north of the Adipumpa Road paying him some compensation, the area to the south being sold to him, the present lease being terminated may be favourably considered especially since the garden to the north of the New Adipurpa Road was too near Vontikoppal and in the interests of health and better sanitation of this extension and also the village of Vontikoppal, it was better to resume this area and demarsh it Subsequently it was also decided to run a straight road joining the Princess Road with the Adipurpa Road passing by the side of Vontikoppal houses and the lay-out of this road also required taking over to the Trust Board a bit of the land in question now given on lease

5 The matter was thereupon gone into in detail and on a careful examination of all the facts of the case the Trust Board in an informal discussion and after inspecting these areas more than once felt that Mr Krishnaraju's request may be complied with and that

(Next page please)

the lease of the area measuring 5 05 acres north of Adipurpa Road measuring about 4 07 acres as per sketch enclosed sold to Mr Krishnaraju at Rs 200/- per acre reserving such portion as was necessary for the drainage of the area

6 The land to be taken over by the Trust Board has been demarcated and has been valued carefully, by the Manager of the Municipal Horticultural Farm in regard to the plants etc , and by the Engineer regarding the fencing, wells etc On the basis of this Mr Krishnaraju is agreeable to give up the lease rights over this bit of land which he has acquired by transfer to the north of the Adipurpa Road measuring 5 05 acres with all the plants, trees, fixtures etc , thereon for a compensation of a round sum of Rs 1,000/- and also to purchase the land (4 07 acres) to the south of the road solel for purposes of gardening and raising Horticultural Farm at Rs 200/- per acre

7 The subject was placed before the Board on 28th April 1943 and they approved of this (vide Resolution No 261 dated 28th April 1943 copy enclosed)

8 Mr Krishnaraju also wanted in this connection the sale to him of the additional land which measures about 5½ acres which the Trust Board has resolved in their Resolution No VIII dated 29th June 1938 to lease out to Mr.Anantaraju but which was not handed over to him As the sale of this area which is now lying vacant with a further additional bit which measures in all about 6 07 acres will give Mr Krishnaraju a compact block, the Trust Board was also agreeable to the sale of this land also to Mr Krishnaraju at Rs 200/- per acre (vide Resolution noted above)

9 In the circumstances, I request that sanction of Government may kindly be obtained to the proposals of the Board to take away from Mr Krishnaraju the land measuring 5 05 acres to the north of Adipumpa Road with all plants, trees, fixtures, etc , for a compensation of Rs 1000/- after cancelling its lease and to sell him 4 07 acres of land to the south of Adipumpa Road at Rs 200/- per acre and also to sell the additional area of land measuring about 6 07 acre

at P 200/- per acre subject to the condition that these two areas measuring (4 07 and 6 07 acres) should on no account be used for building purposes, and Mr Krishnaraju will not interfere in any way with the main drain and subsidiary drainage in this area nd will give access at all times to the Officers of the Board for their inspection of the same

10 A suitable agreement will be drawn up and the same will be got registered, the charges for the same being borne by Mr Krishnaraju

11 A further extent of 1 12 acres of land out of the 4 07 acres of land that would be sold to him is proposed to be taken back for the realignment of Road marked in the enclosed sketch subject to the same conditions noted above and action is being taken separately re this and Mr Krishnaraju is also agreeable to this

12 The connected sketch showing the area the lease of which is to be cancelled and the area to be sold to him is enclosed for kind reference and return

I have the honour to be,

Sir,

Your most obedient servant,

Chairman 17/6

PRS

MYSORE CITY IMPROVEMENT TRUST BOARD

Proceedings of the Ordinary Meeting of the Board of Trustees for the Improvement of the City of Mysore, held at the Chairman's Office on Wednesday the 29th June 1938 at 4 30 P M

Present

M A Sreenivasan, Esq , B A , (Chairman)

1 Sir Charles Todhunter, K C S I ,, J P ,

2 The Vice-President, City Municipal Council, Mysore

3 The Health Officer, do

4 Rev G V Sawday, K-i-H ,

5 C Narasimhiah, Esq , B A , B L ,

6 G Ramanuja Iyengar, Esq , B A , B L ,

Absent

7 The Director of Public Health in Mysore,

8 The Sanitary Engineer, Bureau of Sanitary Engineering

X X X

X X

VIII Application dated 13th June 1938 from Mr P Nanthe Raju praying for cancellation of the lease of the land below Kukkarahalli and for the grant free of ground rent of the vacant bits of land adjoining the land under cultivation situated to the south of Paduvarahalli village

Resolved that in the circumstances represented by the party the lease of the land below Kukkarahalli Tank to him be cancelled and that the land to the south of Paduvarahalli Village marked -- A B C D ,on the plan and measuring 400 x 600 or 5½ acres, be leased out to him subject to the same conditions under which the land below Kukkarahalli Tank was leased

x

x x

(Sd) M A Sreenivasan
Chairman

" Copy "

Chairman

HRS

This document consists of two
first sheet of document No 2006 of 1941-42

This deed of transfer of lease made on the twentifourth day of November One thousand nine hundred and fourty-one between Messrs Vasudevaraju, son of M V Venkataramanaraju, Timber Merchant, residing in Bakshi Basappaji Gardens Extension, Kille Mohalla, Mysore, and Anantharaju, son of P Vengamaraju, residing in Ittegegud, Nazarbad Mohalla, Mysore, hereinafter called the transferrors on the one part, and P Krishnaraju, retired Palace Gardens Overseer, Mysore, residing in Vani Vilas Mohalla, Mysore, hereinafter called the transferee on the other part,

Witnesseth that in consideration of a sum of rupees one hundred paid by the transferee to the transferrors the transferrors do hereby transfer to the transferee all their interest in the properties described in the schedule below which they have acquired from the Chairman, City Improvement Trust Board, Mysore, under registered lease deed dated 24th September 1936 and registered as No 1211 of Book 1 volume 1104 in pages 204 to 217 in the Office of the Sub Registrar, Mysore, and Resolution No 8 dated 29th June 1938 of the City Improvement Trust Board, Mysore

The transferrors have as per the lease deed mentioned above taken a lease of the premises mentioned in the schedule below for a period of twenty years subject to the conditions and also the rights and liabilities mentioned in the lease deed referred to above and the transferrors hereby transfer the said

back by the City Improvement Trust Board and in lieu of it a plot of land 400' x 600' by the side of Padavarahalli land plot No,1 facing south has been granted as per Resolution No 8 dated 29-6-1938 of the City Improvement Trust Board, Mysore

The plot to the East of Padvarahalli consisting of two bits

Bit 1 Total area in sq ft 203228 bounded on East by New Vontikoppal Road and Foot Path, West by Maidan and Padavarahalli Village, North by proposed Link Road to Vanivilas Mohalla and South by Maidan and pools of water

BIt II Total area in sq, ft 219982 bounded on East by New Vontikoppal Road and Foot Path, West by Maidan and Padavarahalli North by Maidan and Vontikoppal Village and South by proposed link Road to Vanivilas Mohalla

Total area of I and II Bits, 9 acres, 28 guntas and 75 1/9 square yards

IN WITNESS hereof the said transferrors and the said transferee have respectively signed this deed of transfer this twentifourth day of November one thousand nine hundred and forty-one

Transferror
Transferror
Transferee H. Shrishma Raja
Witnesses -
1,
2

PRESENTED IN THE OFFICE OF
THE SUB REGISTRAR OF MYSORE
ON 28/11/1941 AT 12.45 noon BY

Id Ummarajan

EXECUTANT ADMITTED BY

Id Ummer Rajan

~~EXECUTANT IDENTIFIED BY~~

Anantharaju
28/XI/41

EXECUTANT IDENTIFIED BY

28-11-1941

Registered as No 2006 of Book I Vol 1337 pages 72 to 74. Fee received rupee one annas twelve only

28 11 1941

SUB REGISTRAR

MYSORE CITY IMPROVEMENT TRUST BOARD.

Proceedings of the ordinary meeting of the Board of Trustees for the Improvement of the City of Mysore, held at the Chairman's office on Wednesday the 28th April 1943 at 4-30 P M

PRESENT.

B.S Raghavendra Rao , Esq , M.A , (Hons).,(Chairman).

1 Sadiq-Ul-Mulk Seeg Z Shah, Esq.,

2. The Superintending Engineer, Mysore Circle, Mysore.

3. The Vice President, City Municipal Council, Mysore.

4. The Health Officer, " " "

5 The Rev. G J Sewdey, K-I-H ,

6. S Lingannae, Esq ,

XX

ABSENT

7. The Director of Public Health in Mysore.,

8. T Mariappa , Esq., B.A., L.L.B ,

x x x x

61 Taking over to the Trust Board the portion of fruit garden to the north of Acipetalai Road, Nadividhi Agraharam and dividing the garden attached to the house, and the remaining portion of the other portion to the Trust Board.

The Chairman stated that the Trust Board had agreed to purchase (1) [illegible] 12 acres and the house and Farm (2) [illegible] 5 Cs cres to the north of the [illegible] all the plant, fixtures, etc, in the [illegible] completely to the Trust Board, to [illegible] to Mr Ramaraya, the present lessee of the said Farm, and (3) [illegible] the present lessee bill [illegible] collected [illegible] acres to the north of [illegible] possession at Rs/- per acre [illegible] to Rs/- per acre [illegible]

6.07 acres to the south of the existing garden be approved

The Chairman is hereby authorised to get the necessary legal documents etc, executed

x x

x x

(Sd.) B. Rajeswara Rao
Chairman

Copy

B. Rajeswara Rao

Chairman

PROCEEDINGS OF THE GOVERNMENT OF
HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read -

Letter No B3 C 45/42-43, dated the 1 June 1943 from the Chairman, City Improvem Trust Board, Mysore, submitting proposals i regard to the taking over to the Trust Boar of the portion of the fruit garden to the north of Adipampa Road, Vanivilasapuram, ca celling the lease and giving some compensation for fencing etc , and disposing of the other portion to Mr K Krishnaraju

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ORDER NO 7332-5 Jud 88-43-5

Dated, Bangalore, 17 Jan 194

The Chairman, City Improvement Trust Board, Mysore reports that certain water logged ar below Kukkarahalli tank and near Padavarah were given on lease by the Board to Messrs Vasudevaraju and Anantharaju for a period 20 years, subject to certain conditions and agreement was got executed and registered the lesses on 30th September 1936 On the 13th June 1938, Mr Anantharaju applied for cancellation of the lease of land below K rahalli tank and for the grant of vacant l of land adjoining the land which has been given to them already, to the south of Pa varahalli and the Board resolved to cance the lease of the land below Kukkarahalli and to lease out to him 5± acres of land

17/1/44.

land situated to the south of Padavarahalli, subject to the same conditions under which the land below Kukkarahalli Tank was leased In the meanwhile, the lesses transferred, without consulting the Trust Board, their rights on the land below Kukkarahalli tank to one Mr K Krishnaraju, and requested the Chairman in 1941 to recognise him as the lessee of the land and to have a separate agreement entered into with him While the question of recognising the transfer was under consideration Mr K Krishnaraju represented that, as no permanent improvement could be effected so long as the land was given to him on lease and as the new road (Adipampa Road) separated the garden into two, the area to the north of the road may be taken over by the Board and the lease of the area cancelled and some compensation given to him for the trouble he had taken in fencing it, growing valuable plants, etc , and that the area to the south of the road may be sold to him at a concession price so that he could have a compact block for cultivation and the lease terminated That may also be His request was considered by the Board in detail and the Chairman has submitted the following resolution passed by the Board ~~held~~ at the meeting held on 28-4-43

'261 Taking over to the Trust Board the portion of fruit garden to the north of Adipampa Road, Vanivilaspuram cancelling the lease and giving some compensation for fencing etc , and disposing of the other portion to Mr Krishnaraju

--

The Chairman's note suggesting for the reasons stated (1) The cancellation of thelease of 9 12 acres of the Bhudevi Farm (2) Taking over 5 05 acres to the north of Adipampa Road with all the plants, fixtures, etc , in this area completely to the Board giving in lieu thereof

thereof to Mr Krishnaraju, the prese lessee of Bhudevi Farm, a compensatio of a round sum of Rs 1,000/- and (3) Instead of the present lease which is cancelled as noted above, selling him an area of 4 07 acres to the south of Adipampa Road now in his possession at Rs 200/- per acre and selling also to him at Rs 200/- per acre a further area measuring 6 07 acres to the sou of the existing garden is approved

The Chairman is hereby authorise to get the necessary legal documents etc , executed ”

This resolution is sanctioned

2 The grant is subject to the furthe condition that the land should, on no accour be used for building purposes and the grantee should not in any way interfere wi the main drain and the subsidiary drainage in this area and ~~will~~ shall give access at all times to the officers of the Board for the inspection of the same

3 The Chairman is requested to get embodying the above conditions agreement drawn up/and ~~got~~ registered at t expenses of Mr Krishnaraju

4 Separate action may be taken for acquisition of 1 12 acres of land out of 4 07 acres of land that would be sold to] for the realignment of the road as marked the enclosed sketch

Cys 1 12 4n

from Secretary to Governmen Law Department

To -

The Chairman, City Improvement Trust Boar
" Comptroller to Government
" Deputy Commissioner, Mysore District
" President, City Municipal Council, Mv